

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Siemens Industry Software Inc.,

Plaintiff,

-v-

Does 1 – 268, et al.,

Defendant.

Civil Action No. 4:23-cv-00498

JOINT STATUS REPORT

Pursuant to the Court’s direction in its February 13, 2024 Order in this case (Dkt. 45), Plaintiff Siemens Management Software Inc. (“SISW” or “Plaintiff”) and Defendants Does 1-268 (“Does” or “Defendant”) (collectively, the “Parties”) file this Joint Status Report and state as follows:

Plaintiff Siemens Industry Software Inc. (SISW) filed its complaint on February 10, 2023 (Dkt. 1) and moved for discovery pursuant to Rule 26(d)(1) (Dkt. 4). The Court granted SISW’s motion for discovery on July 24, 2023. (Dkt. 13). Pursuant to that order, on August 16, 2023, a subpoena was issued to Charter Communications seeking information sufficient to identify Doe 245 and Doe 258, among others. Charter Communications has not provided identifying information for Doe 245 and Doe 258 because each has filed a motion to quash, which is currently pending before the Court.

1. All remaining parties and the status of each.

Plaintiff: Siemens Industry Software Inc.

Defendants: Does 1-159, 161-202, 204-215, 217-227, 229-268.

Plaintiff has voluntarily dismissed Does 160, 216, 228. Doe defendants 203, 245, and 258 have pending motions as noted below. Doe defendant 203 does not appear to be represented by counsel. Doe defendants 245 and 258 are represented by counsel as noted in the signature below. The reminder of the undismissed Doe defendants have not objected to the subpoena and identifying information has been provided by the ISP. SISW is in discussions with or has had discussions with these identified Doe defendants and has reached or is likely to reach resolution with them. Thus, SISW anticipates that it will voluntarily dismiss the identified Doe defendants.

2. All pending motions that still need a ruling.

Doe Defendant 203's motion to quash is fully briefed. ECF 21 and 29.

Doe Defendant 245's motion to quash is fully briefed. ECF 18 and 17.

Doe Defendant 258's motion to quash is fully briefed. ECF 19 and 28.

3. The status of any unserved defendants.

Doe 203, 245, and Doe 258 each have a motion to quash pending and thus remain unidentified. Accordingly, Plaintiff has not yet served Doe 203, 245, or Doe 258.

4. Any other issues needing the Court's attention

The parties refer to their previously filed Joint Discovery/Case Management Plan (Dkt. 42). In particular, item 8 regarding deferring a discovery plan and proposed schedule until the Court determines the pending motions.

Dated: February 21, 2024

<u>/s/ Robert Riddle</u> Robert R. Riddle (attorney-in-charge) State Bar No. 24035495 S.D. Tex. No. 1553007 1221 McKinney St., Suite 2100 Houston, Texas 77010 Telephone: (713) 469-3881 Facsimile: (713) 469-3899 Email: rriddle@reedsmith.com <i>Attorney for Siemens Industry Software Inc.</i>	<u>/s/Delphine M. James</u> Delphine M. James Texas Bar Number 24010129 Delphine M. James, Attorney At Law 2616 South Loop West Suite 415 Email: dmjamesjd@aol.com Houston, TX 77054 (713)-661-4144 (Fax) 713-661-4145 <i>Attorney for Doe 245 and Doe 258</i>
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